

EX PARTE OR LATE FILED

LESLIE HARRIS & ASSOCIATES

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September 26, 2005

SEP 28 2005

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Federal Communications Commission
Office of Secretary

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Re: Ex Parte Meeting in Docket No. 02-6, FCC 05-124

Dear Ms. Dortch:

Pursuant to Sections 1.1200-1.1216 of Volume 47 of the Code of Federal Regulations, I am filing this notice of an ex parte oral presentation to Tom Navin, Narda Jones and Ian Dillner of the Wireline Competition Bureau, on September 23, 2005. In addition to myself, attendees of that meeting included: Don Knezek and Hillary Goldmann of the International Society for Technology in Education (ISTE), ISTE Board President Kurt Steinhaus, and ISTE Board Members David Byer, Jan Van Dam, Anne Cunningham, and Leslie Flanders.

During the meeting, ISTE representatives discussed four major issues raised in the recent Notice of Proposed Rulemaking that related directly to the E-Rate program.

First, ISTE representatives discussed the need that any new performance measures measure only connectivity and not educational milestones, since the E-Rate is a telecommunications program. Specifically, ISTE representatives expressed their belief that broadband speed and connectivity rates to the classroom would be the most useful measures for the program. Additionally, ISTE representatives stated that the current benchmark of classroom connectivity, which stands at 93%, provides a misleading impression that E-Rate has completed its mission.

Second, ISTE representatives provided input on the proposal to transform the E-Rate into a formula grant program. While ISTE representatives noted that ISTE was still formulating its response to this proposal, they indicated a few issues of which any formula would have to take account. Specifically: 1) how low income and rural schools would continue to receive ample levels of E-Rate support; 2) how local decision making would be preserved; and 3) how a secure funding stream would be maintained. Additionally, on the proposal that the E-Rate be expanded to fund other currently unsupported services, ISTE representatives expressed concern that the program was already straining to meet the high demand for currently supported services and feared taxing it further by supporting other services.

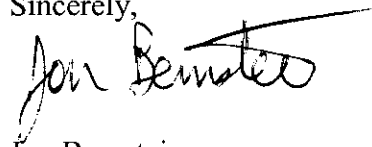
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Third, ISTE representatives expressed support for the proposal to streamline the Priority 1 application process.

Fourth, ISTE representatives expressed support for proposals to more strictly scrutinize applicants who broke program rules in previous years. However, ISTE recommended that actual sanctions of those who repeatedly and knowingly violate program rules represent the best deterrent for waste, fraud and abuse. ISTE supports a sliding scale of penalties, based on the severity and number of offenses, which would apply to both applicants and vendors. The penalties would include discount matrix reductions for applicant violators and debarments for periods of time for vendor violators.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Bernstein". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Jon Bernstein
Vice President
Leslie Harris & Associates

cc. Tom Navin
Narda Jones
Ian Dillner